

SENATE BILL 2980

By Burks

AN ACT to amend Tennessee Code Annotated, Title 56
and Title 71, relative to needs of children and
youth with cancer.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by
adding the following as a new section:

71-5-160.

The commissioner of finance and administration, to the extent permitted by
federal law, shall take such action as may be necessary to amend the Title XIX state
plan for medical assistance under this part to provide coverage without prior
authorization for each child diagnosed with cancer on or after January 1, 2013, who is
covered under the TennCare program, for neuropsychological testing ordered by a
licensed physician, to assess the extent of any cognitive or developmental delays in
such child due to chemotherapy or radiation treatment.

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by
adding the following as a new section:

56-6-2369.

(a) All individual and group health insurance policies providing coverage on an
expense incurred basis, individual and group service contracts issued by a health
maintenance organization, all self-insured group arrangements to the extent not
preempted by federal law and all managed health care delivery entities of any type or
description, that are entered into, delivered, issued or renewed on or after January 1,
2013, in this state shall include, coverage without prior authorization for each child
diagnosed with cancer on or after January 1, 2013, for neuropsychological testing

ordered by a licensed physician, to assess the extent of any cognitive or developmental delays in such child due to chemotherapy or radiation treatment.

(b) The benefits required by this section shall be subject to the annual deductible and co-insurance established for all other similar benefits within the policy or contract; provided, that the annual deductible and co-insurance for the benefits required by this section are no greater than the annual deductible and co-insurance established for all other similar benefits within that policy or contract of insurance.

(c) Nothing in this section shall apply to the TennCare program administered pursuant to the waivers approved by the federal department of health and human services, to accident-only, specified disease, hospital indemnity, medicare supplement, long-term care or other limited benefit health insurance policies, or to any health benefit that is individually underwritten.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.